

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE POSEIDON CONCEPTS  
SECURITIES LITIGATION

Case No: 13-CV-1213 (DLC)  
ECF CASE  
CLASS ACTION

**NOTICE OF MOTION AND MOTION (1) TO LIFT STAY TO PERMIT ACTION TO  
PROCEED AGAINST KPMG LLP, AND (2) FOR LEAVE TO AMEND**

PLEASE TAKE NOTICE that Lead Plaintiff Gerald Kolar (“Lead Plaintiff”), by and through his attorneys The Rosen Law Firm, P.A., individually and on behalf of all others similarly situated, will and hereby do move this Court on a date and at such time as may be designated by the Honorable Denise L. Cote, Courtroom 15B, United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007-1312 for an order: (1) to lift stay to permit action to proceed against KPMG LLP and (2) for leave to amend.

This motion is based on the accompanying Memorandum of Law, the exhibits thereto, the pleadings and records on file in this action, and other such matters and argument as the Court may consider at the hearing on this motion.

Dated: May 15, 2015

Respectfully submitted,

**THE ROSEN LAW FIRM, P.A.**

/s/ Jonathan Horne

Laurence M. Rosen

lrosen@rosenlegal.com

Phillip Kim

pkim@rosenlegal.com

Jonathan Horne

jhorne@rosenlegal.com

THE ROSEN LAW FIRM, P.A.

275 Madison Avenue, 34<sup>th</sup> Floor

New York, NY, 10016

Telephone: (212) 686-1060

Facsimile: (212) 202-3827

**CERTIFICATE OF SERVICE**

I hereby certify that on May 15, 2015, the foregoing document was filed with the Court's CM/ECF system, which sent notification of such filing to all counsel of record.

/s/ Jonathan Horne